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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR09-351-JLR

10 Plaintiff,

11 v.

12 CECIL J. HODGIN,

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

13 Defendant.

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15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on October 18, 2011. The United States was represented by
17 Assistant United States Attorney Andy Colasurdo, and the defendant by Jeffrey B.
18 Coopersmith.

19 The defendant had been charged and convicted of Bank Fraud, in violation of 18 U.S.C.
20 § 1344. On or about February 1, 2010, defendant was sentenced by the Honorable James L.
21 Robart, to a term of 8 months in custody, to be followed by 5 years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in substance abuse and
25 mental health programs, financial disclosure, \$4,886.63 restitution, search, no new lines of
26 credit or loans without prior approval of USPO, no possession of any IDs other than in true

1 legal name, 90 days location monitoring, up to 180 days in the residential reentry center, and
2 complete 28 days inpatient treatment as directed by Department of Corrections.

3 In a Petition for Warrant or Summons, dated October 6, 2011, U.S. Probation Officer
4 Jennifer J. Tien asserted the following violations by defendant of the conditions of his
5 supervised release:

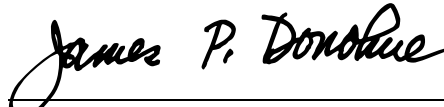
- 6 1. Associating with a known felon without the permission of the probation
7 officer, in violation of standard condition number 11.
- 8 2. Using methamphetamine on or before October 5, 2011, in violation of
9 standard condition number 7.
- 10 3. Failing to successfully participate in the residential reentry center (RRC), in
11 violation of the special condition that the defendant participate in the RRC
12 for up to 180 days.

13 On October 7, 2011, defendant made his initial appearance. The defendant was advised
14 the allegations and advised of his rights. On October 18, 2011, this matter came before the
15 Court for an evidentiary hearing. Defendant admitted to violations 1, 2 and 3.

16 I therefore recommend that the Court find the defendant to have violated the terms and
17 conditions of his supervised release as to violations 1, 2 and 3, and that the Court conduct a
18 hearing limited to disposition. A disposition hearing on these violations has been set before the
19 Honorable James L. Robart on October 24, 2011 at 2:00 p.m.

20 Pending a final determination by the Court, the defendant has been detained.

21 DATED this 18th day of October, 2011.

22 
23 JAMES P. DONOHUE
24 United States Magistrate Judge
25
26

cc: District Judge: Honorable James L. Robart
AUSA: Andy Colasurdo
Defendant's attorney: Jeffrey B. Coopersmith
Probation officer: Jennifer J. Tien